

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JUSTIN JACKSON and  
CHERRA COOPER,

Plaintiffs,

v.

ILLINOIS DEPARTMENT OF  
CHILDREN AND FAMILY  
SERVICES, and AMANDA  
YOSANOVICH,

Defendants.

Case No. 22-cv-2301-SPM

**MEMORANDUM AND ORDER**

**McGLYNN, District Judge:**

On October 5, 2022, plaintiffs Justin Jackson and Cherra Cooper filed a *Pro Se* Civil Rights Complaint against Illinois Department of Children and Family Services (“DCFS”), and caseworker Amanda Yosanovich (“Yosanovich”) (Doc. 2). Within the complaint, plaintiffs alleged that their constitutional rights under the First, Fourth, Eighth, and Fourteenth 14th Amendments were violated by DCFS and Yosanovich when she removed their children from the family home (*Id.*).

On October 20, 2022, Salena Young entered her appearance on behalf of the defendants (Doc. 4). On November 3, 2022, Young moved for an extension to file her answer or other responsive pleading; said motion was granted on November 4, 2022 extending the answer date to December 1, 2022 (Docs. 5, 6).

On December 1, 2022, defendants filed a motion to dismiss for failure to state a claim and for lack of jurisdiction, along with supporting memorandum of law (Docs. 11,

12). On December 2, 2022, this Court entered an Order granting plaintiffs 30 days, until January 9, 2023, to respond to motion to dismiss, OR plaintiff could file an amended complaint within 21 days, December 30, 2022<sup>1</sup> (Doc. 13).

On January 6, 2023, James M. Kelly appeared on behalf of plaintiffs (Doc. 15). However, no response to the motion to dismiss or amended complaint was filed. Accordingly, on January 18, 2023, this Court entered an Order to Show Cause as to why no response or amended complaint was filed (Doc. 17). This Court is further constrained to note that within the Order which had a deadline of February 1, 2023, plaintiffs were advised that their failure to respond to the motion could be deemed an admission on the merits (*Id.*). Additionally, this Court also advised plaintiffs that failure to respond to this order “may result in dismissal of this action for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and the Court’s inherent authority to manage its docket” (*Id.*).

As of today’s date, February 3, 2023, this Court has not received a response from the plaintiffs. As such, the Court grants the motion to dismiss and dismisses this case with prejudice.

**IT IS SO ORDERED.**

**DATED: February 3, 2023**

*s/ Stephen P. McGlynn*  
**STEPHEN P. McGLYNN**  
**U.S. District Judge**

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<sup>1</sup> Due to the holidays and the plaintiffs’ *pro se* status, the plaintiffs were actually given more time than the customary 21 and 30 days.